

May 5, 1981

LB 384, 284, 284A, 76

SPEAKER MARVEL: The motion is carried. The amendment is adopted. The motion now is the advancement of the bill. All those in favor of that motion say aye, opposed no. The motion is carried. The bill is advanced. The next bill...

CLERK: Mr. President, LB 284 and 284A are ready for your signature.

SPEAKER MARVEL: While the Legislature is capable of transacting business, I am about to sign and do sign reengrossed LB 284 and reengrossed LB 284A.

CLERK: Mr. President, I have two motions on LB 76. The first is...I'm sorry. I ruers I have three and, Mr. President, the first is offered by Senator Chambers. Senator Chambers would move to return the bill to add the following amendment: In case of death, injury or property damage to any innocent third party as a result of action taken by an officer in conducting a high-speed....(interruption.)

SENATOR CHAMBERS: (Mike not on.) ...amendment.

SPEAKER MARVEL: Hearing no objection, so ordered.

CLERK: Mr. President, the next one I have is offered by Senator Chambers, to return the bill to strike the enacting clause.

SPEAKER MARVEL: Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman, that amendment I do want to take up. I doubt that the votes are here for me to put the amendment on this bill that would protect innocent third parties who are hurt or killed as a result of high-speed chases. There just is not enough concern in the Legislature for the victims. So I withdrew the amendment attempting to add that to the bill. I had another amendment which was defeated in the past which would have placed certain restrictions on when chases would occur and when they ought to be terminated, primarily related to trivial offenses or traffic violations but now after reviewing the bill, the blue copy, I have found some serious problems as I read the bill. I am saying what I say for the record because somebody may be prosecuted under this piece of legislation and I think the record should be clear that on the floor of the Legislature, the issue was raised as to the possible unconstitutionality of provisions in this bill. I would want to call your attention to a case that was decided by the State Supreme Court in 1967 which invalidated another high-speed chase bill because of unconstitutional vagueness. I